

**In The United States Patent and Trademark Office
On Appeal from the Examiner to The Board
of Patent Appeals and Interferences**

In re Application of: Larry Henry Steinhorst et al.
Serial No.: 10/609,332
Filing Date: June 26, 2003
Group Art Unit: 2613
Confirmation No.: 7931
Title: METHOD AND SYSTEM FOR UPGRADING A FIBER
OPTICS NETWORK

Mail Stop Appeal Brief - Patents

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Response to Notification of Noncompliant Appeal Brief

In response to the Notice of Non-Compliant Appeal Brief transmitted July 9, 2008, Appellants respectfully submit the following replacement section "Appendix B: Evidence" as requested by the Notice of Non-Compliant Appeal Brief. Favorable action is humbly requested.

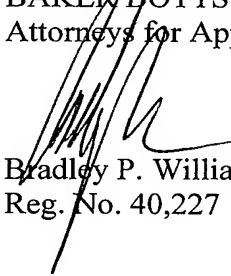
Appendix B: Evidence

NONE

Although no other fees are believed to be due at this time, the Commissioner is hereby authorized to charge any additional fees and/or credit any overpayments to **Deposit Account No. 02-0384 of Baker Botts LLP.**

Respectfully submitted,

BAKER BOTTS L.L.P.
Attorneys for Appellants


Bradley P. Williams
Reg. No. 40,227

Date: _____

7/22/08

CORRESPONDENCE ADDRESS:

Customer No. **05073**